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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3570/2018**

JYOTI PRASAD & ORS

..... Petitioners

Through: Mr. Man Mohan Goel and Mr. Piyush
Pahriya, Advs.

Versus

THE STATE (GOVT OF NCT OF DELHI) & ANR..... Respondents

Through: Dr. M.P. Singh, APP for State with SI
Vishwanath, P.S. Sadar Bazar.
Ms. H. Kapoor, Adv. for R-2 with R-
2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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08.10.2018

It is submitted that petitioners and respondent no.2 are neighbours. A quarrel took place between them over the issue of parking of vehicle, which led to registration of FIR No. 439/2004 under Sections 452/324/34 IPC at police station Sadar Bazar, on the complaint of respondent no.2. During the investigation, offence under Section 326 IPC was added. It is submitted that petitioners and respondent no.2 have settled their disputes amicably vide Memorandum of Understanding dated 2nd July, 2018, therefore, aforesaid FIR and the consequent proceedings emanating therefrom may be quashed. Respondent no.2, who is present in Court along with his counsel, has been

identified by SI Vishwanath of police station Sadar Bazar. He submits that he has settled the matter with the petitioners of his own free will and without any undue force, pressure or coercion. He has no objection in case FIR and the consequent proceedings are quashed.

Learned APP submits that matter is at final stage, therefore, FIR cannot be quashed in view of the settlement.

Learned counsel for the petitioners submits that only statement of respondent no.2 has been recorded in examination-in-chief and her cross-examination has yet to take place.

Be that as it may, in my view, the plea taken by the learned APP that trial is at the advance stage is not sufficient for not quashing the FIR in view of the settlement, if the court finds that settlement has been arrived at voluntarily and without any undue force, pressure or coercion. In the present case, petitioners and respondent nos. 2 are neighbours. They have settled their disputes amicably in order to maintain harmonious relations with each other in future. In my view, no fruitful purpose would be served in keeping the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

OCTOBER 08, 2018
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